

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

**REMBRANDT TECHNOLOGIES, LP**

**Plaintiff,**

**VS.**

**SHARP CORPORATION and  
SHARP ELECTRONICS CORP.**

**Defendants.**



**Case No: 2:06-cv-00047 TJW**

**JURY TRIAL REQUESTED**

**PLAINTIFF REMBRANDT TECHNOLOGIES, LP'S REPLY TO  
SHARP CORPORATION'S COUNTERCLAIM**

Plaintiff Rembrandt Technologies, LP, (“Rembrandt”) files this reply to Defendant Sharp Corporation’s (“Sharp”) Counterclaim, filed April 27, 2006, and states as follows:

## PARTIES

1. Rembrandt admits the allegations of Counterclaim paragraph 1.
2. Rembrandt admits the allegations of Counterclaim paragraph 2.

## **JURISDICTION AND VENUE**

3. Rembrandt admits that Sharp purports to allege a Counterclaim arising under 28 U.S.C. §§ 1331 and 1338(a), 35 U.S.C. § 1 *et seq.*, and 28 U.S.C. §§ 2201 and 2202. Rembrandt does not need to respond to Sharp’s conclusion as to this Court’s subject matter jurisdiction over Sharp’s Counterclaim. Rembrandt denies that Sharp is entitled to any declaratory relief.
4. Rembrandt admits that it commenced a civil action for infringement of the ‘627 Patent by filing a Complaint in this Court against, *inter alia*, Sharp on or about February 3, 2006. Rembrandt admits there is an actual controversy between Sharp and Rembrandt with respect to

Sharp's infringement of the '627 Patent and the validity of the '627 Patent. Rembrandt denies the remaining allegations of Counterclaim paragraph 4.

5. Rembrandt admits that this Court has personal jurisdiction over Rembrandt.

6. Rembrandt admits that this judicial district is a proper venue for Sharp's Counterclaim.

### **COUNT 1**

7. Rembrandt repeats and re-alleges its answers to Counterclaim Paragraphs 1-6 above as if fully restated herein.

8. Rembrandt denies the allegations of Counterclaim paragraph 8.

### **COUNT 2**

9. Rembrandt repeats and re-alleges its answers to Counterclaim Paragraphs 1-8 above as if fully restated herein.

10. Rembrandt denies the allegations of Counterclaim paragraph 10.

Rembrandt denies each and every allegation contained in Sharp's Counterclaim that is not expressly admitted herein. Rembrandt denies that Sharp is entitled to the relief requested or any other relief.

### **PRAYER FOR RELIEF**

Rembrandt prays for the following relief:

- A. The dismissal of Sharp's Counterclaims for declaratory relief;
- B. Judgment declaring that Sharp infringes the '627 patent;
- C. Judgment declaring that the '627 patent is valid and enforceable;
- D. An award of Rembrandt's attorney's fees and costs, together with pre-judgment and post-judgment interest in the maximum amount provided by law; and
- E. Such other and further relief as the Court deems just and equitable.

**DEMAND FOR JURY TRIAL**

Rembrandt hereby demands a jury trial on all issues appropriately triable by a jury.

DATED: May 5, 2006

Respectfully submitted,

**McKOOL SMITH, P.C.**

/s/ D. Cawley (w/p D. Sochia)

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**ATTORNEYS FOR PLAINTIFF  
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**CERTIFICATE OF SERVICE**

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, this motion was served on all counsel who have consented to electronic service. Local Rule CV-5(a)(3)(A). Pursuant to Fed. R. Civ. P. 5(d) and Local Rule CV-5(e), all other counsel of record not deemed to have consented to electronic service were served with a true and correct copy of the foregoing by U.S. mail on this the 5<sup>th</sup> day of May, 2006.

/s/ David Sochia  
David Sochia